a variable power source for controlling the transmission of said electro-optic lens to have a nonuniform light transmission; and

[according to 1 wherein] said apparatus comprises four electro-optic lenses which comprises two side lenses and two forward lenses, and four photosensitive regions, one for each of said four electro-optic lenses.

REMARKS

Reconsideration is respectfully requested in view of and changes to the claims and the remarks herein. Please contact the undersigned to conduct a telephone interview in accordance with MPEP 713.01 to resolve any remaining requirements and/or issues prior to sending another Office Action. Relevant portions of MPEP 713.01 are included on the signature page of this amendment.

The Examiner has indicated that Claims 18 and 19 would be allowable if written in independent form. Claim 18 has been written in independent form. Since claim 19 depends from claims 17, 16, 11, 8 and 1. Claim 1 has been amended to include all the limitations of claims 8, 11, 16, 17 and 19. Thus claim 1 should be allowable, since it is the same as original claim 19, which the Examiner has indicated would be allowable if written in independent form. and all claims dependent from claim 1 should be allowable. Claims 9, 10, 12 and 13 which originally depended from claim 8 have been amended to depend from amended claim 1 since amended claim 1 includes the limitations of claim 8. Claim 8 has been amended to depend from amended claim 18, which is allowable. Claim 20 has been cancelled. Thus all claims depend from allowable claim 1 and allowable claim 18 and, therefore, all claims should be allowable.

Although applicant disagrees with the Examiner's reasons for rejection, as stated in applicant's response dated July 5, 2002, the comments of which are incorporated herein by reference, applicant is making the amendments herein to put the application in condition for allowance and to further prosecution of this application.

In view of the changes to the claims and the remarks herein, the Examiner is respectfully requested to reconsider the above-identified application. If the Examiner wishes to discuss the application further, or if additional information would be required, the undersigned will cooperate fully to assist in the prosecution of this application. In the event that this amendment does not result in allowance of all such claims, the undersigned sole inventor respectfully requests a telephone interview at the Examiner's earliest convenience.

MPEP 713.01 states in part as follows:

> Where the response to a first complete action includes a request for an interview or a telephone consultation to be initiated by the examiner, ...

the examiner, as soon as he or she has considered the effect of the response, should grant such request if it appears that the interview or consultation would result in expediting the case to a final action.

Respectfully submitted,

Mitchell Joseph Aiosa Morris
(914) 949-1657

APPENDIX

The amended claims in rewritten form and and added claims are below.

1. (Rewritten) An eye shade apparatus having a variable transmission comprising:

an electo-optic lens;

a variable power source for controlling the transmission of said electro-optic lens to have a nonuniform light transmission;

said electro-optic lens comprises a plurality of regions, said variable power source comprises a plurality of power outputs, each of said plurality of power outputs corresponds to at least one of said plurality or regions;

said variable power source comprises a photosensitive control to vary said power source in response to the intensity of light incident on said eye shade apparatus;

a plurality of said photosensitive regions;

said plurality of said photosensitive regions provide said nonuniform light transmission; and

a processor to determine said nonuniform light transmission from responses of said photosensitive regions.

8. (Rewritten) An eye shade apparatus according to claim 18 wherein each of said four electro-optic lens comprises a plurality of regions, said variable power source comprises a plurality of power outputs, each of said plurality of power outputs corresponds to at least one of said plurality or regions.

9. (Rewritten) An eye shade device according to claim 1 wherein the power applied to each of said plurality of regions can be the same or different.

10. (Rewritten) An eye shade device according to claim 1 wherein said variable power source comprises a manual control to vary the power at each of said plurality of power outputs.

11. (Rewritten) An eye shade device according to claim 1 wherein said variable power source comprises a photosensitive control to vary said power source in response to the intensity of light incident on said eye shade apparatus.

12. (Rewritten) An eye shade apparatus according to claim 1 comprising a manual mode of operation wherein said variable power source comprises a manual control to vary said power source and an automatic mode of operation wherein said variable power source comprises a photosensitive control to vary said power source in response to the intensity of light incident on said eye shade apparatus and a switch permitting selection of said manual mode of operation or said automatic mode of operation.

13. (Rewritten) An eye shade apparatus according to claim 1 further comprising an electronic storage medium storing a plurality of power patterns for applying to said plurality of power outputs and a switch for selecting said plurality of power patterns.

18. (Rewritten) An eye shade apparatus having a variable transmission comprising:

an electo-optic lens;

a variable power source for controlling the transmission of said electro-optic lens to have a nonuniform light transmission; and

said apparatus comprises four electro-optic lenses which comprises two side lenses and two forward lenses, and four photosensitive regions, one for each of said four electro-optic lenses.